

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

CIVIL CASE NO. 2:09cv027

RICKEY MCDONALD,)
)
Plaintiff,)
)
vs.) **ORDER**
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
)
-----)

THIS MATTER is before the Court on the Plaintiff's Motion for Attorney's Fees Under the Equal Access to Justice Act and the Social Security Act. [Doc. 14].

Plaintiff's Motion was filed on February 15, 2010. Its conclusion includes the following:

"As EAJA fees are generally paid by direct deposit to counsel's bank account, the Court is requested to direct that fees be paid to counsel for Plaintiff by direct deposit." [Doc 15 at 4].

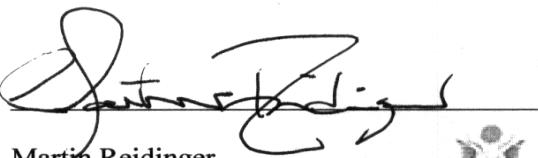
After the motion was filed, the United States Supreme Court issued its ruling in Astrue v. Ratliff, 560 S.Ct.—, 2010 WL 2346547 (June 14, 2010). The Court understands this case could be construed as to prevent it from granting Plaintiff's request, as it requires payment directly to the Plaintiff. The Court understands that the Social Security Administration may have altered the processes to which Plaintiff refers.

The Court invites the parties to submit short supplemental memoranda addressing the logistics of payment of the requested fees in light of this new ruling.

IT IS THEREFORE ORDERED that on or before seven (7) days after the entry of this Order, the parties may submit short supplemental memoranda, not to exceed three (3) pages, addressing solely the logistics of payment of the fees they have previously agreed upon.

IT IS SO ORDERED.

Signed: October 5, 2010



Martin Reidinger
United States District Judge

